

DECISION

**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D. C. 20548

FILE: B-183970

DATE: JAN 21 1976

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MATTER OF: John A. Macdonald - Reimbursement of
moving and subsistence expenses while
occupying temporary quarters

DIGEST:

1. Department of Interior employee who departed Guam at end of 2-year contract and later was employed by Interior in San Francisco may not be reimbursed for subsistence expenses while occupying temporary quarters as he was not transferred to new permanent duty station. Such expenses are available only when an employee is transferred to a new duty station. See Federal Travel Regulations (FPMR 101-7) para. 2-5.2a (May 1973).
2. Department of Interior employee who departed Guam at end of 2-year contract may be reimbursed for cost of shipment of household goods stored in U. S. to destination of choice so long as amount reimbursed does not exceed constructive cost of shipment from Guam to official residence at time of overseas appointment. See FTR, para. 2-1.5g(4) (May 1973).
3. Department of Interior employee who transferred to position with Federal Energy Administration should file claim for allowable moving expenses with the latter agency. See FTR, para. 2-1.6b (May 1973).

Mr. D. J. Omans, an authorized certifying officer in the Office of the Secretary, Department of Interior, requests an advance decision on the propriety of paying certain moving expenses and subsistence expenses while occupying temporary quarters claimed by Mr. John A. Macdonald.

The record indicates that Mr. Macdonald was recruited by the Department of Interior at Brattleboro, Vermont, on August 9, 1971, as an auditor and was assigned to the Office of the Government Comptroller for Guam in Agana, Guam. He reported for duty in Guam on

August 17, 1971. Prior to departure he placed household goods in storage at Government expense in Boston, Massachusetts. Mr. Macdonald was given a travel authorization for "Return to place of recruitment after expiration of two-year contract" with travel to begin on or about September 1, 1973. Mr. Macdonald and his family departed Guam on September 1, 1973, and arrived in San Francisco, California, on September 8, 1973, where he and his family remained. The unused portion of Mr. Macdonald's airline ticket, i. e., the portion of the ticket covering transportation for himself and his family from San Francisco to Vermont, was returned to the Government.

On January 2, 1974, Mr. Macdonald received a temporary appointment with the Department of Interior in San Francisco. Then on April 1, 1974, Mr. Macdonald was appointed to a position with the Federal Energy Office (now Federal Energy Administration) in Reno, Nevada, where he is currently employed.

The expenses claimed by Mr. Macdonald on which a decision is requested are as follows:

- (1) subsistence expenses while occupying temporary quarters for 60 days in San Francisco beginning September 8, 1973;
- (2) the cost of shipping stored household goods from Boston, Massachusetts, to Reno, Nevada; and
- (3) moving expenses from San Francisco, California, to Reno, Nevada.

We will first consider the claim for subsistence expenses while occupying temporary quarters. The regulation covering reimbursement of such expenses is found at FTR paras. 2-5.2a and 2-5.2b (May 1973). An employee is eligible for reimbursement of such expenses under said regulation when he is transferred to a new permanent duty station. The record shows that Mr. Macdonald was not transferred to San Francisco. Therefore, he is not eligible for subsistence while occupying temporary quarters under FTR paras. 2-5.2a and 2-5.2b (May 1973). Although Mr. Macdonald was later employed under a temporary appointment in San Francisco by the Department of Interior, his subsequent employment there did not constitute a transfer. Furthermore, the time period during which

the expenses are claimed is prior to his temporary appointment. Accordingly, the claim for subsistence expenses while occupying temporary quarters may not be allowed.

With respect to the claim for the cost of shipping Mr. Macdonald's stored household goods from Boston, Massachusetts, to Reno, Nevada, the applicable regulations, found at FTR, paras. 2-1.5g(4) and 2-9.2a, are as follows:

"2-1.5g. * * *

* * * * *

"(4) Return for separation. When an employee is eligible for return travel and transportation to his place of actual residence upon separation after completion of the period of service specified in an agreement executed under 2-1.5a(1)(b) or is separated for reasons beyond his control and acceptable to the agency concerned, he may receive travel and transportation to an alternate location, provided the cost to the Government shall not exceed the cost of travel and transportation to his residence at the time he was assigned to an overseas station. However, under decisions of the Comptroller General, ordinarily an employee is entitled to travel and transportation expenses upon separation only to the country of actual residence at the time of assignment to such duty.

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"2-9.2. Nontemporary storage during assignment outside the conterminous United States.

"a. Eligibility. Under regulations that may be prescribed by the head of the agency concerned, an employee stationed at an official station other than one located in the conterminous United States or an employee or new appointee transferred or appointed to such a station may be allowed nontemporary storage of his household goods while so assigned if:

"(1) The official station is one to which he is not authorized to take or at which he is unable to use his household goods, or

"(2) The storage is authorized in the public interest, or

"(3) The estimated cost of storage would be less than the cost of round-trip transportation (including temporary storage) of the household goods to the new official station."

At the time of his appointment as an auditor in Guam, Mr. Macdonald was entitled to a transportation allowance for household goods stored and shipped not to exceed 11,000 pounds. See FTR, para. 2-8.2 (May 1973). The record before us is incomplete with respect to the household goods Mr. Macdonald shipped to Guam, although it appears that he did ship some items to his duty station. In addition, he stored 3,320 pounds of household goods in Boston, Massachusetts, under the provisions of FTR, para. 2-9.2a. The above-quoted regulation, FTR, para. 2-1.5g(4), allows shipment of household goods to an alternate destination so long as the cost does not exceed the cost of shipment to the official place of residence at the time of appointment. In this connection, while the record is incomplete, it appears that the total weight of household goods shipped from Guam and Boston did not exceed the maximum weight limitation of 11,000 pounds. Therefore, Mr. Macdonald may be reimbursed for shipment of his household goods from Boston, Massachusetts, to Reno, Nevada, to the extent that it does not exceed the constructive cost of shipping said goods from Guam to Brattleboro.

Finally, we consider Mr. Macdonald's claim for the cost of shipping his household goods from San Francisco to Reno, Nevada. This move was incident to a transfer between agencies. FTR, para. 2-1.6b indicates that in the case of interagency transfers allowable moving expenses are to be paid from funds of the agency to which the employee is transferred. The employee should be advised to submit a voucher to the Federal Energy Administration for reimbursement of any expenses for which he may be eligible incident to his appointment with that agency.

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Accordingly, the voucher submitted is returned and may be certified for payment as determined above, if otherwise proper.

R. F. KENNEDY

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Comptroller General
of the United States